

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION

Melvin Shaquille Haynes, Jr.,)	C/A No. 5:21-2076-SAL
)	
Plaintiff,)	
)	
v.)	
)	ORDER
Leroy Ravenell, <i>Sheriff</i> ; John C. Stokes, Jr.,)	
<i>Investigator</i> ; Lt. Rhodan, <i>OCDC</i> ; Captain)	
Govan, <i>OCDC</i> ; Ms. Dozier, <i>OCDC</i> ,)	
)	
Defendants.)	
)	

Plaintiff Melvin Shaquille Haynes, Jr., a self-represented state pretrial detainee, filed this civil action. By order issued August 13, 2021, Plaintiff was provided an opportunity to submit the documents necessary to bring the case into proper form for evaluation and possible service of process. [ECF No. 8]. However, Plaintiff did not receive the order, as it was returned to the court as undeliverable mail without explanation. [ECF No. 12]. Plaintiff has not provided the court with a new address at which he receives mail, and the record indicates no attempt by Plaintiff to contact the court since filing the Complaint. On October 5, 2021, the court re-mailed the order to the address listed. *See* [ECF Nos. 15–19.] As of the date of this order, the mail has not been returned to the court as undeliverable, and Plaintiff has not attempted to respond to the order or submit the necessary documents.

It is well established that a district court has authority to dismiss a case for failure to prosecute. “The authority of a court to dismiss *sua sponte* for lack of prosecution has generally been considered an ‘inherent power,’ governed not by rule or statute but by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition

of cases.” *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630–31 (1962). In addition to its inherent authority, this court may also *sua sponte* dismiss a case for lack of prosecution under Fed. R. Civ. P. 41(b).

As Plaintiff has failed to prosecute this case, the case is subject to dismissal. Accordingly, the case is **DISMISSED** without prejudice pursuant to Rule 41 of the Federal Rules of Civil Procedure. *See Link v. Wabash R.R. Co.*, 370 U.S. 626 (1962).

IT IS SO ORDERED.

December 10, 2021
Florence, South Carolina

/s/Sherri A. Lydon
Sherri A. Lydon
United States District Judge

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this Order within the time period set forth under Rules 3 and 4 of the Federal Rules of Appellate Procedure.